

E: Remarks:

These remarks assume the replacement specification with original claims is entered. No change except adding the double spaced format throughout was made.

The present amendment has been prepared to comply with and be in accordance with the latest instructions on preparing amendments issued by the U.S. Patent And Trademark Office dated 1/31/03 which waives the provisions of 37 CFR 1.121(a), (b), (c) and (d).

The formal drawings which contain reference numbers for Figure 1 and which otherwise are now formal are submitted with a separate submission. A copy has been appended.

The above detailed amendment is believed one that should be clear on its face as to the nature of the invention sought at this time. The Sun Microsystems Leung et al Patent 5948098 is not one that anticipates the invention claimed. If it is used again, specifics as to elements of the claims shown in the reference should be identified. This information was not specific in the first action. As now understood, the examiner misconstrued the Sun Microsystems statements in the patent 5948098 which does not have a predetermination cycle pipeline stage nor a predetermination cycle pipeline stage overlapping a dispatch cycle. The examiner apparently misread Col. 12, lines 18-30. Rereading that passage will show that the rejection is unfounded, as no predetermination cycle pipeline state is shown, only two parallel pipelines. To make this more clear in Claim 1, "*before an instruction is dispatched*" is included as a claim limitation to make it clear that besides providing a predetermination cycle pipeline stage this application provides the overlap before an instruction is dispatched. Claim 2 is also amended to point out that the first pipeline stage is the overlapping virtual predetermination cycle pipeline stage while the second pipeline stage confirms that a prior instruction is valid. Other claims



have been changed to meet the examiner's objections. Claim 16 was cancelled in view of the amendment made to claim 1.

It is respectfully submitted that the application should be in final condition for allowance which is respectfully requested.

RESPECTFULLY SUBMITTED

(For the inventors)

BY:  Lynn L. Augspurger

Registration No. 24,227

Phone: 845-433-1174

Fax: 845-432-9601

Mailing Address:

IBM Intellectual Property Law

2455 South Road, P386

Poughkeepsie, NY 12601